

MCMATHON, S.

10/10/2007 09:27 IFAX Fax\_Center@dbf.com  
 OCT-10-2007 09:43 From:RIEMER & ASSOCIATES 2122970730

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UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF NEW YORK

MENT

CRAIG FASHBAUGH

Plaintiff,

v.

CONTINENTAL ASSURANCE COMPANY  
 AND HARTFORD LIFE AND ACCIDENT  
 INSURANCE COMPANY,

Defendants.

ELECTRONICALLY FILED

C #:

FILED: 10/11/07

Case No. 07-CV-5791 (10)

STIPULATION AND ORDER

WHEREAS, the parties desire to extend the Defendants' time within which Defendants may respond to the Complaint and alter this Court's Civil Case Management Plan in order to undertake good faith settlement negotiations, which were not foreseeable at the time this Court entered the Civil Case Management Plan Scheduling Order, the parties have agreed Defendants' time to answer, move or otherwise plead and all attendant case management order dates in the Civil Case Management Plan By Order of this Court should be further extended by two weeks.

AND NOW, this 9<sup>th</sup> day of October, 2007, IT IS HEREBY AGREED and ORDERED as follows:

1. Defendant shall answer, move or otherwise plead in response to Plaintiff's Complaint by October 23, 2007.

PHLJ1614207A1

*So ordered*  
*On*

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2. Discovery Pursuant to Fed.R.Civ.P. 26(a) shall be exchanged by October 26, 2007.
3. No additional parties may be joined after December 17, 2007.
4. No pleading may be amended after January 4, 2008.
5. All discovery, *including expert discovery*, must be completed on or before March 21, 2008. (For personal injury, civil rights, employment discrimination or medical malpractice cases only): Plaintiff's deposition shall be taken first, and shall be completed by January 11, 2008. Expert disclosures conforming with Rule 26 must be made no later than the following dates: Plaintiff(s) expert report(s) by February 15, 2008; Defendant(s) expert report(s) by March 7, 2008.
6. A joint pre-trial order in the form prescribed in Judge McMahon's individual rules, together with all other pre-trial submissions required by those rules (not including *in limine* motions), shall be submitted on or before April 18, 2008. Following submission of the joint pre-trial order, counsel will be notified of the date of the final pre-trial conference. *In limine* motions must be filed within five days of receiving notice of the final pre-trial conference; responses to *in limine* motions are due five days *after* the

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motions are made. Cases may be called for trial at any time following the final pre-trial conference.

Dated: October 9, 2007

By:

  
**RIEMER & ASSOCIATES LLC**

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By:

  
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*Attorneys for Defendants  
Hartford Life and Accident  
Insurance Company*

**BY THE COURT**

  
Hon. Colleen McMahon  
United States District Judge